

UPCOMING CHANGES

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WHAT IS BEING CONSIDERED

- UST legislation for creating UST Advisory Board
- Changes to technical regulations
- Two additional certified contractor classifications
- Developing lender liability guidance
- Revisions to the Trust Fund regulations

NEW FEDERAL UST REGULATIONS

- Final and published in July 2015
- For Mississippi, we must have the new UST regulations adopted **no later than July 14, 2018**
- *Note: many of the changes in the new Federal UST Regulations were adopted by Mississippi in October 2008*

Revised federal regulations have been out for comment since November 2011

No later than June 2018, but.....

Federal money is often tied to new requirements, so we may be required to implement sooner

Also want to make some minor changes, so plan to make changes by end of 2016



MAJOR UST FEDERAL REGULATION CHANGES FOR MS

- **Monthly walk through inspections**
- **Regulating airport hydrant systems and field constructed tanks**
- **Requiring replacement of all UST piping when 50% or more of the piping is replaced**
- **Elimination of flow through restrictors (ball floats) for overfill prevention**
- **Notification and compatibility requirements for fuel blends > 10% ethanol or >20% biodiesel**

MONTHLY WALK THROUGH INSPECTIONS

- Check spill buckets and record the findings
- While checking release detection monthly, review records and record unusual operating conditions



Already suppose to check the spill buckets before and after each delivery. Does not alleviate this condition:

It requires documentation of checking spill buckets at least once per month

MONTHLY WALK THROUGH INSPECTION (SPILL BUCKETS)

Do

- Remove any liquid and debris
- Ensure the metal cover is on the spill bucket
- Check the fill cap for tight fit

Record

- Each spill bucket checked
- Any liquid/debris removed
- Condition of bucket and caps



MONTHLY WALK THROUGH INSPECTION (RELEASE DETECTION)

Do

- Check for any alarms
- Monthly written records are accurate
- Monitor for unusual operating conditions

Record

- Any alarms noted and corrective action
- All release detection equipment checked
- Report unusual operating conditions and corrective action

MONTHLY WALK THROUGH INSPECTION (RELEASE)



- Make sure you have a passing test for each tank and pipe
- If > 1/8th inch fuel in MW, report it
- Elevated vapors are reported
- All alarms are reconciled
- Sumps are dry

observe a layer of petroleum of 1/8 inch or

Monitoring Results for the			
Monitoring Well Number	1	2	3
Approximate depth to top of the water in the well (inches)	82"	84"	90"
Is there any sheen of the stored product on the water? (yes/no)	N	N	N
Is there any layer of the stored product on the water? (yes/no)	N	N	N
If there is a layer of the stored product, how thick is it? (inches)	2"	-	-
Vapor reading (record in parts per million)			
Have the vapor readings			

ANNUAL WALK THROUGH INSPECTION

- All covers present, in good condition, seated firmly
- Standard drop tube in good condition
- Tank gauge stick can be clearly read, not broken
- Check for all monthly and annual records



We already require some of the annual walk through inspection information that was added to the Federal Regulations.

Highlighting here the requirements new to UST:

Manhole covers seated correctly
Standard drop tube in good condition
Tank gauge stick can be clearly read
Verify that all the records are present

RE-DEFINED “REPLACED”

For piping – to remove 50 percent or more of piping and install other piping, excluding connectors, connected to a single tank



For Mississippi, $\geq 50\%$ of the piping needs to be replaced,

ALL the piping is required to be replaced with double-walled piping

BALL FLOATS



No longer allowed for new installations

**Cannot replace
existing
ball floats with new
ball floats**



CONTAINMENT SUMP TESTING

Right now, we require
INSPECTING,

New regulations require 3 year
TESTING



The graphic illustrates the impact of ethanol and biodiesel on fuel octane ratings. It features two side-by-side fuel labels for 93 octane fuel. Each label has a yellow top half with '93' and 'MINIMUM OCTANE RATING (R+M) / 2 METHOD', and a white bottom half with 'CONTAINS' and a percentage of ethanol. The left label indicates 15% ethanol, while the right label indicates 20% ethanol. To the right of these labels, a dark brown vertical banner contains the text 'NOTIFICATION DUE TO CHANGING FUEL BLENDS' at the top, followed by '> 10% ethanol' and '> 20% biodiesel'.

Fuel Label	Octane Rating	Contains	Percentage
Left	93	CONTAINS	15% ETHANOL
Right	93	CONTAINS	20% ETHANOL

NOTIFICATION DUE TO CHANGING FUEL BLENDS

- > 10% ethanol
- > 20% biodiesel

LENDER LIABILITY

New Subpart to the regulations:

- Who's responsible prior to foreclosure
- Holder's responsibilities after foreclosure
 - Empties all UST systems within 60 calendar days of foreclosure
 - Permanently Close USTs or meet temporary closure requirements

FORECLOSURE

Operator of the UST is responsible prior to the foreclosure as long as the holder is not a participant in management (decision maker) of the UST system

Does not have responsibility for the daily operation of the UST system

LENDER LIABILITY

Holder's responsibilities in temporary closure:

- ❖ Maintain corrosion protection
- ❖ Report suspected releases
- ❖ Conduct site assessment after 12 months of temporary closure if UST system does not meet new UST system standards

OPERATOR TRAINING

Requires re-training of Class A/B Operators when their UST system is found to be out of compliance

Class A/B Operators



UST FUTURE GOALS

- Revised Mississippi Groundwater Protection Trust Fund Regulations by December 2016
- Draft UST Certified Contractor Regulations by December 2016
- Draft UST Technical Regulations incorporating federal regulations for public comment by March 2017

UST CERTIFIED CATHODIC PROTECTION TESTERS



Adding a new category of UST contractors that have specialized training in cathodic protection testing

UST CERTIFIED TECHNICIANS

Specializing in the annual testing requirements:

- Spill bucket testing
- Overfill prevention monitoring
- Sump integrity
- Release detection maintenance



They don't own/operate the heavy equipment – backhoes, bobcats,

They don't install, repair, or replace tanks and piping

UST COMPLIANCE WORKSHOP

October 6, 2016
December 1, 2016

MDEQ Main Building
515 East Amite Street
Jackson, MS

We have been averaging 40 to 50 attendees per class. Still available for eligible owners in lieu of penalties but we are also training lots of new tank owners and store managers for the UST Compliance Manager Certification



In the spring/summer of 2016, planning on additional tank owner meeting, regulation change review and comment session, and a UST certified contractor conference

Thank you so much for coming.

Since we have had such a successful turnout, we plan to start doing quarterly or semi-annual town hall meetings throughout the State

If you have any agenda topics for upcoming events, please let us know

Pick up a copy of the Who to Call List on the back tables

Again, thanks so much for attending today